

EXHIBIT A



CORPORATION SERVICE COMPANY

Notice of Service of Process

Transmittal Number: 12710752
Date Processed: 07/09/2014

Primary Contact: Shannan R. Powell
Portfolio Recovery Associates, Inc.
140 Corporate Boulevard
Norfolk, VA 23502

Entity:	Portfolio Recovery Associates, L.L.C. Entity ID Number 1653471
Entity Served:	Portfolio Recovery Associates LLC
Title of Action:	Kirby Spencer vs. Portfolio Recovery Associates, LLC
Document(s) Type:	Summons/Complaint
Nature of Action:	Violation of State/Federal Act
Court/Agency:	Clark County Justice Court, Nevada
Case/Reference No:	14C008535 / 4
Jurisdiction Served:	Nevada
Date Served on CSC:	07/08/2014
Answer or Appearance Due:	20 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Craig K. Perry 702-228-4777

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JUSTICE COURT, LAS VEGAS TOWNSHIP

Clark County Nevada

Kirby Spencer, Plaintiff(s)
vs.
Portfolio Recovery Associates LLC, Defendant(s)

)
)
)
)
) CASE NO.: 14C008535
) JC DEPARTMENT 4
)
)

FOR COURT USE ONLY

SUMMONS

NOTICE: YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.¹ READ THE INFORMATION BELOW.

TO THE ABOVE-NAMED DEFENDANT: You are hereby summoned and required to serve upon Plaintiff's attorney, whose address is set forth below, an Answer to the Complaint which is herewith served upon you, within 20 days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.²

- * If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
 - a. File with the Clerk of the Court, whose address is shown below, a formal written response (Answer) to the Complaint in accordance with the rules of the Court. A \$71.00 filing fee is required, or you must file an Application to Proceed *In Forma Pauperis* and request a waiver of the fee. (You may obtain forms and information at the Civil Law Self-Help Center located in the Regional Justice Center or at its website at www.clarkcountycourts.us/self-help.html.)
 - b. Serve a copy of your response upon the attorney whose name and address is shown below.
- * Unless you respond, your default will be entered upon application of the Plaintiff, and this Court may enter a judgment against you for the relief demanded, which could result in the taking of money or property or other relief.
- * If you intend to seek the advice of an attorney, you should do so promptly so that your response will be timely.

Signed: 6/13/2014 11:09:28 AM

By:


Deputy Clerk A. Griffin

DEPUTY CLERK



06/13/2014

Date

Craig K. Perry # 3786
3622 North Rancho Dr
Suite 102
Las Vegas NV 89130
7022284777

Attorney Name, Address and Phone

Justice Court, Las Vegas Township
Regional Justice Center
200 Lewis Avenue
PO Box 552511

Las Vegas, NV 89155-2511

APPROPRIATE COURTROOM ATTIRE AND SHOES ARE REQUIRED. NO SHORTS, HALTER TOPS, TANK TOPS, FOOD OR DRINK ARE PERMITTED.

¹ Notwithstanding the above, the State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members, and legislators, each have 45 days after service of this Summons within which to file an Answer to the Complaint.

² When service of the Summons is made by publication, the Summons shall, in addition to any special statutory requirements, also contain a brief statement of the object of the action substantially as follows: "This action is brought to recover a judgment for the sum of (indicate dollar amount), due and owing, " or as the case may be. (JCRCP4(b)).

LAS VEGAS JUSTICE COURT

Electronically filed

06/11/2014 01:43:56 PM

Karen Spencer Heron

CLERK OF THE COURT

1 Craig K. Perry, Esq.
Nevada Bar No. 003786
2 CRAIG K. PERRY & ASSOCIATES
8010 W. Sahara Avenue, Suite 260
3 Las Vegas, Nevada 89117
(702) 228-4777 Telephone
4 (702) 943-7520 Fax
info@1stoplawfirm.com
5

6 Attorney for Plaintiff

7 JUSTICE COURT
8 CLARK COUNTY, NEVADA

9 Kirby Spencer,

Plaintiff,

10 vs.

11 PORTFOLIO RECOVERY ASSOCIATES, LLC,
A Foreign Limited-Liability Company, and
12 DOES I-X; and ROE CORPORATIONS, I-X,
Inclusive,
13 Defendant.

CASE NO.: 14 C008535 / 4

COMPLAINT FOR DAMAGES FOR
VIOLATION OF THE TELEPHONE
CONSUMER PROTECTION ACT,
47 U.S.C. § 227 ET. SEQ

JURY TRIAL DEMANDED

14
15 COMPLAINT

16 COMES NOW the Kirby Spencer ("Plaintiff"), by and through his attorney, Craig K. Perry,
17 Esq. of the law firm of Craig K. Perry & Associates, and alleges the following against Portfolio
18 Recovery Associates, LLC., hereinafter ("Defendant PRA").

19 INTRODUCTION

20 1. Plaintiff's Complaint is based on the Telephone Consumer Protection Act, 47
21 U.S.C. § 227 *et seq.* ("TCPA").

22 JURISDICTION AND VENUE

23 2. Jurisdiction of this Court for TCPA violations arises pursuant to 47 U.S.C §
24 227(b)(3),(c)(5) grants this court original jurisdiction of all civil actions arising under the laws of
25 the United States.

1
2 3.- Defendant Portfolio Recovery Associates, LLC conducts business in the State of
3 Nevada and therefore, personal jurisdiction is established.

4 4. Venue is proper pursuant to 47 U.S.C § 227(b)(3),(c)(5), because a substantial part
5 of the events giving rise to the claim arose in Nevada, and (c)(1), because Plaintiff is a resident of
6 the state of Nevada and because Plaintiff is a resident of the state of Nevada.

7 5. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and 2202.

8 **PARTIES**

9 6. Plaintiff is a natural person residing in Clark County, Nevada.

10 7. Plaintiff is both a "person" and "called party" as those terms are used or defined in
11 47 U.S.C § 227.

12 8. Defendant PRA is a collection company/agency doing business in Nevada and for
13 whom a principal purpose of its business is the collection of debts.

14 9. Defendant PRA is properly referred to as both a "person" and a "caller" as those
15 terms are used or defined in 47 U.S.C § 227.

16 **STATEMENT OF FACTS**

17 10. Plaintiff repeats, re-alleges, and incorporates by reference paragraphs 1 through 9
18 inclusive, above.

19 11. On one or more occasions, contacted or attempted to contact the Plaintiff's paging
20 service, cellular telephone service, specialized mobile radio service, radio common carrier
21 service, or any service for which the called party is charged for the call--using a facsimile
22 transmission, text messages, automatic telephone dialing system, artificial or prerecorded voice.

23 12. Defendant PRA does not have an established business relationship with the
24 Plaintiff.

25 13. Defendant PRA did not have the prior express consent of the Plaintiff before
26 making the calls described in paragraph 11 above.

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CLAIM FOR RELIEF

DEFENDANT VIOLATED THE TELEPHONE CONSUMER PROTECTION ACT

14. Plaintiff repeats, re-alleges, and incorporates by reference paragraphs 1 through 13 inclusive, above.

15. Section 227(b)(3)(A) of the TCPA authorizes a private cause of action for a person or entity to bring in an appropriate court of that state "an action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation."

16. Section 227(b)(3)(B), of the Act authorizes a private cause of action for a person or entity to bring in an appropriate court of that state "an action to recover for actual monetary loss from such a violation, or to received \$500 in damages for each such violation, whichever is greater."

17. Despite the fact that Plaintiff never consented to making calls to his cellular telephone, repeatedly placed non-emergency calls to Plaintiff's cellular telephone without Plaintiff's consent.

18. The Act also authorizes the Court, in its discretion, to award up to three (3) times the actual damages sustained for violations.

19. Here, upon information and belief, repeatedly and regularly placed non-emergency, automated calls to Plaintiff's cellular telephone.

20. Defendant PRA did not have Plaintiff's express consent prior to contacting him on his cellular telephone using an automatic telephone dialing system or pre-recorded or artificial voice.

21. Defendant PRA's conduct violated § 227(b)(1)(A)(iii) of the TCPA by making any call using any automatic telephone dialing system or an artificial prerecorded voice to a telephone number assigned to a cellular telephone service.

WHEREFORE, Plaintiff, Kirby Spencer, respectfully prays for a judgment as follows:

- a. Actual damages;
- b. Statutory damages;
- c. Reasonable attorney's fees and costs; and

1 d. Any other relief deemed appropriate by this Honorable Court.

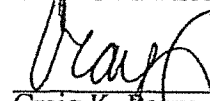
2 **DEMAND FOR JURY TRIAL**

3 PLEASE TAKE NOTICE that Plaintiff, Kirby Spencer, demands a trial by jury in this
4 case.

5 Dated this 10th day of June, 2014

6 RESPECTFULLY SUBMITTED,

7 CRAIG K. PERRY & ASSOCIATES

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13 Attorney for Plaintiff